

# ARS □ CSREES □ ERS □ NASS

## *Policies and Procedures*

***Title:*** Patent and Trademark Office Fees Payments

***Number:*** 346.3

***Date:*** 9/29/94

***Originating Office:*** Financial Management Division Systems, Analyses, and Review Branch

***This Replaces:*** 346.3 Dated 3/16/81

***Distribution:*** Headquarters, Areas, and Locations

This DIRECTIVE provides procedures for the use of deposit accounts, checks, and coupons for payment of Patent and Trademark Office fees.

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## **1. ABBREVIATIONS**

- AAO - Area Administrative Office(r)
- AC - Accounting Code
- FMD - Financial Management Division
- NFC - National Finance Center
- OTT - Office of Technology Transfer
- PTO - Patent and Trademark Office
- RS#4 - Reporting Section #4

## **2. FORMS**

- AD-700 - Requisition for Supplies, Equipment, or Services
- PTO-140 - Deposit Account Order Form
- PTO-142 - Monthly Statement of Deposit Account
- PTOL-113 - Information and Rules Regarding Deposit Accounts

## **3. AUTHORITY**

Title 35, U.S.C. Section 41<sup>©</sup>

## **4. POLICY**

It is ARS policy to establish and use the Patent and Trademark Office deposit accounts to make required advance payments for fees and charges to cover the costs of services or items requested by ARS officials.

## **5. RESPONSIBILITIES**

**Director, FMD**, will provide guidance for the use of the deposit accounts.

**AAO's and Patent Advisers, OTT** will administer the deposit accounts in accordance with the procedures contained in Section 7 and Exhibit 2, PTO Information and Rules Regarding Deposit Accounts.

## **6. BACKGROUND**

Seven separate deposit accounts are established with the PTO, U.S. Department of Commerce, for ARS use. The Beltsville and North Atlantic Areas share an account. The Midwest and Northern Plains Areas also share a deposit account. Headquarters, South Atlantic, Southern Plains, Mid South, and Pacific West Areas have a separate deposit account. Deposit accounts are used to purchase items and services from the PTO (e.g., basic Patent filing fee, notice of appeal, briefs, surcharges, etc.).

## **7. PROCEDURE - PAYMENT BY DEPOSIT ACCOUNT**

### **AAO's, Patent Advisers, OTT**

- Submit requests to RS#4-NFC to establish, disestablish or modify deposit account balances with PTO.
- Maintain and distribute PTO-140's to users.

### **Users**

- Obtain PTO-140 from AAO, or Patent Advisers, OTT, (or submit AD-700 to appropriate procurement office if that is local policy).
- Prepare PTO-140 as indicated in Exhibit 1.

### **AAO's, Patent Advisers, OTT**

- Review charges on the monthly PTO-142 received from PTO.
- Replenish deposit account balance to original amount by submitting a letter to RS#4-NFC requesting that a Treasury check be issued to PTO for the total amount of charges shown on the PTO-142. The letter must cite the applicable AC(s) and the amounts chargeable to each AC.
- Provide RS#4-NFC with two copies of the PTO-142 attached to the letter described in above. A copy will serve as a remittance advice and accompany the Treasury check issued to the PTO for account replenishment. Provide a copy of the letter described in above to the appropriate accounting office.

### **Head, RS#4-NFC 4**

- Process requests to establish or disestablish deposit accounts.
- Process payments to replenish the deposit accounts as well as actions to modify the account balance.
- Make year-end adjustments to close out advances in the expiring appropriation and transfer them to the new annual appropriation.

## **8. PROCEDURE - PAYMENT BY COUPONS**

### **AAO's, Patent Advisors, OTT**

- If coupon books are on hand, proper records of inventory and use must be maintained.
- Redeem current inventory immediately by submitting to:  
  
U.S. Department of Commerce  
Patent and Trademark Office  
P.O. Box 9  
Washington, DC 20231
- When current coupon supply is exhausted, use deposit account or payment by check procedures to pay for PTO office fees.

JANE L. GILES  
Deputy Administrator  
Administrative Management

### **Exhibits**

- 1 Sample PTO-140 and Instructions
- 2 Information and Rules Regarding Deposit Accounts



## EXHIBIT 1

9/29/94

**INSTRUCTIONS FOR PREPARING DEPOSIT ACCOUNT  
ORDER FORM, PTO FORM 140**

- 1    **Date:**                      Fill in the date of the order.
  
- 2    **Account Number:** Insert applicable deposit account number. This number is assigned by PTO and identifies the AAO or Patent Advisors, OTT. The number always remains the same.
  
- 3    **Order Number:**        Leave blank or insert code depending upon local policy.
  
- 4    **Name and Address of Depositor:** Insert the address of AAO or Patent Advisors, OTT as applicable. This address identifies the depositor and always remains the same.
  
- 5    **Description of Articles or Services to be Furnished:**        Self Explanatory.
  
- 6    **Mailing Address:**        Insert the address to which the items or services should be mailed, if other than depositor address in 4 above.



# EXHIBIT 2 Information and Rules Regarding Deposit Accounts

DIRECTIVE

346.3

Exhibit

2

FORM PTO-113  
(Rev. 4/19/84)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

## INFORMATION AND RULES REGARDING DEPOSIT ACCOUNTS

1. Fees and charges payable to the Patent and Trademark Office are required to be paid in advance; that is, at the time of making application for any account by the Office for which a fee or charge is payable. For the convenience of attorneys, agents, and the general public in ordering services offered by the Office, copies of records concerning Deposit Accounts may be furnished to the Patent and Trademark Office.
2. A deposit account may be established by writing to the "Comptroller of Patents and Trademarks," Washington, D.C. 20231. The request should include (a) name of the account, (b) mailing address, (c) persons authorized to request services, and (d) persons authorized to request confidential information about the account, such as the client's name, etc. The minimum initial deposit is \$20.00 of which \$10.00 is charged for establishing a new deposit account.
3. An account sufficient to cover all services, copies, etc., requested must always be maintained. It is recommended that a minimum of one month's estimated charges be established as the "normal deposit balance" to be maintained. At the close of each month's business, a statement will be rendered. A remittance must be made promptly upon receipt of the statement to cover the value of items or services charged to the account so that the account is in established normal deposit value.
4. Remittances must be made payable to the Commissioner of Patents and Trademarks and be accompanied by the top portion of the monthly statement or otherwise clearly identified so that the proper account is credited.

In order to expedite credit to deposit accounts, a special handling unit is assigned to receive deposit account remittances only.

Please mail deposit account remittances to:

Box 18  
Patent and Trademark Office  
Washington, D.C. 20231

1. Deposit accounts having a balance at the end of the month below \$40.00 will be assessed a service charge of \$2.00.
2. Form PTO-113, Deposit Account Order Form is recommended for use in ordering items or services that are to be charged against your deposit account. An initial supply of these forms will be furnished new account holders. The form may be reordered by you for use without requisition from the Patent and Trademark Office. Separate orders for each type of service with separate handling and secure faster service. Any number of orders may be mailed in one envelope.
3. In the event that a deposit account becomes overdrawn, it will be temporarily suspended. No charge orders will be accepted by the Office until the normal deposit balance has been restored, together with a payment of \$10.00 for each incident in the overdraw and resumption of the account. It will be necessary to close any deposit account that is repeatedly suspended.
4. Fees for printed copies of patent designs and trademarks may be charged to a deposit account under the following conditions: (a) claim orders, (b) description orders, (c) advance orders for new copies, and (d) 50 or more unaltered submitted in numerical sequence.
5. Patent and Trademark Office computer books may be charged to a deposit account. The use of computer is the most expedient method of ordering individual copies of patents, designs, or trademarks.

Please mail patent, design, or trademark requests to:

Box 9  
Patent and Trademark Office  
Washington, D.C. 20231

All work received at Box 9 which is not linked to patent, design, or trademark requests will be returned to the sender.

10. Subscription service to the weekly issue of any class of publications of patents is available only to those who maintain a deposit account.

FORM PTO-113 (Rev. 4/19/84)

9/29/94

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